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DATE: November 15, 2004 **TIME:** 4:47 PM **C/M No.:** 036400.0800
FROM: Thomas C. McDonough **PHONE:** (312) 269-5282 **FAX:** (312) 269-1747
RE: Docket No. 36400.19US5
Application No. 10/644,520
Filing Date: 08/20/03 - PUMP

To:

NAME:	FAX No.:	PHONE No.:
Michael S. Leslie, Patent Examiner U.S. Patent and Trademark Office	703 872 9306	

MESSAGE:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Trimble)	Examiner: Michael S. Leslie
)	
Application No.: 10/644,520)	
)	
Filing Date: August 20, 2003)	Group Art Unit: 3745
)	
Title: PUMP)	Docket No. 36400.19US5

SUBMISSION OF SUPPLEMENTAL DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This application has been granted a Notice of Allowance, and the issue fee has not yet been paid. Pursuant to 37 C.F.R. § 1.67 and MPEP § 603.01, Applicant hereby submits a supplemental declaration from the inventor, Robert Trimble. This supplemental declaration was previously submitted in the original parent application from which this application claims priority.

This application is a continuation of Application No. 10/330,939, now U.S. Pat. No. 6,694,729, which is a continuation of Application No. 09/798,392, now U.S. Pat. No. 6,502,394, which is a continuation of Application No. 09/354,850, now U.S. Pat. No. 6,332,393. During the prosecution of the original '393 Patent application, the Examining Attorney requested a supplemental declaration and one was submitted in that application on August 3, 2001. There was a very minor semantic change to the first declaration requested by the Examiner (i.e., changing the language of the declaration to state "I am the original inventor" instead of "I am an original inventor").

SN: 10/644,520

Art Unit: 3745

This application was inadvertently filed with a copy of the declaration as originally filed in application No. 09/354,850, rather than the supplemental declaration. Because the original application was incorporated by reference in this application, and because this supplemental declaration does not change the name or number of the inventors, or the scope of the application, Applicant does not believe this submission to be necessary, but would like the file to include the enclosed supplemental declaration.

The Office is hereby authorized to charge any fee required to Deposit Account number 502,261. Please contact the undersigned attorney if there are any questions.

Dated: November 15, 2004

Respectfully submitted,

By:



Thomas C. McDonough, Reg. No. 33,734
Neal, Gerber & Eisenberg, LLP
Two North LaSalle Street - Ste. 2200
Chicago, IL 60602
312 269 8000 (Telephone)
312 269 1747 (Facsimile)

Certificate Under 37 CFR 1.8: The undersigned hereby certifies that this document is being sent via facsimile to the Commissioner for Patents, 703/872-9306, on November 15, 2004.

By:



S. K. Easterling

NGEDOCs: 1097798.2

Type a plus sign (+) inside this box → ☐

PTO/SB/04 (12-97)

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SUPPLEMENTAL DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	38400.198001
	First Named Inventor	Robert Trimble
	COMPLETE IF KNOWN	
	Application Number	09/354,850
	Filing Date	07/15/99
	Group Art Unit	3745
	Examiner Name	Michael Leslie

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PUMP

the specification of which (Title of the invention)

☐ is attached hereto.

OR

☒ was filed on (MM/DD/YYYY) 07/18/99 as United States Application Number or PCT International

Application Number 09/354,850 and was amended on (MM/DD/YYYY) (if applicable).

I hereby declare that the subject matter of the ☐ attached amendment ☐ amendment filed on was part of my or our invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 385(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B is attached hereto

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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SUPPLEMENTAL DECLARATION -- UTILITY OR DESIGN PATENT APPLICATION

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business with the Patent and Trademark Office connected therewith: ☒ Customer Number  OR

☐ Registered practitioner(s) name/registration number listed below

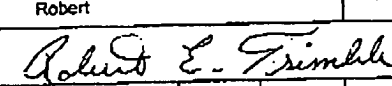
Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label  OR ☐ Correspondence address below

Name	John E. Hyatt				
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Address	10 South Wacker				
City	Chicago	State	IL	ZIP	60606
Country	U.S.A.	Telephone	(312) 715-4544	Fax	(312) 715-4800

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))			Family Name or Surname		
Robert			Trimble		
Inventor's Signature					Date 8/1/01
Residence: City	Sullivan	State	IL	Country	U.S.A.
Post Office Address	1411 South Hamilton				
Post Office Address					
City	Sullivan	State	IL	Zip	61951
Country	U.S.A.				

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

(Page 2 of 2)

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